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EXAMINER

ABEL JALIL, NEVEEN

ART UNIT	PAPER NUMBER
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2165

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/021,661

Applicant(s)

WUCHERER ET AL.

Examiner

Neveen Abel-Jalil

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Remarks

1. In response to Applicant's Amendment filed on October 4, 2007, claims 1-26 remain pending.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

For claims 14-17, and 20-26, the term "processor readable storage" has no definition in the specification see specification paragraph 0054 for all covered "medium" citations.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: In claims 12-13, the term "mechanism" both first and second has no description or definition in the specification.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Only support for the term "data unit" is found in paragraph 0055 which is not in relevance to the claimed multiple instances.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 25, line 13, recite “a first non-graphical data unit” which has no definition in the specification.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

For claim 4, the very last limitation, the term “specification list” has neither definition nor any other mention beyond the claims in the specification

Claim Objections

3. Claims 1, 4, 5, 6, 18, 20, 22, and 25-26 are objected to because of the following informalities:

Language such as “configured to” “is displayable” and “to be linked” found in various claims (claim 1, claim 4, etc.) does not impart any functionality. In fact, just as it suggests, it merely is a mention of capability of system and thus not fitting within a construction of a method claim. Claim 4, line 15, recites the term “to be linked” without offering any reasonable tie-in with the rest of the limitations. How is it linked? By the interface?

Claim 5, recites "receive" and "link" as part of claimed limitation directed to a User Interface, since the terms are passive verbs not written as "action verbs" it implies that they are merely features of a User interface and not in fact imparting any functionality.

Claim 6's preamble is directed to "processor comprising" while the first limitation states "a computer system receiving", its not feasible that a processor (smaller entity) hold a computer system (larger entity). The claim proceeds to recite the terms "first computer system" and "monitor" again as part of said processor and without making it clear what the different is between "computer system" and "first computer system". Correction to the claims is respectfully requested.

Spelling error in claim 18, line 12, "the like data" should be "the link data".

Claim 18, line 6, recites "a single data unit" although previously introduced in line 5, is this a reference to the same "single data unit" or a new "single data unit"? If so, thus lacks antecedent basis.

Claim 20, line 3, re-introduced "a first computer system" although previously stated in the preamble, is this a new "first computer system" or a reference to the previous one, thus lacks antecedent basis? Correction is required.

Claim 20 has several antecedent issues, for example, line 7, recites “selected graphical element”, while no previous mention of “a graphical element” nor was its “selection” ever made. Line 8, introduces "a component specification" while the very next line, recites "at least one component specification". Are they meant to be the same? Correction is required.

Claim 22, line 3, recite “wherein entering first non-graphical information” which is improper claim construction in accordance with MPEP 2114, since a “wherein” clause can’t introduce a new function (i.e. entering), “wherein” is only a modifier clause.

Claim 24, line 7, recites “at least one data element” while the proceeding line recites “at least one non-graphical data element”, aren't they both the same? Since non-graphical implies text, and “data” alone is text only? Clarification is requested.

Claim 24, line 14, introduces “a CAD element”; however, all the prior claimed recitations are only directed to “non-graphical element”, which is confusing. They don’t appear to have any relationship with each other. Clarification is required.

Claim 25, line 3, recite “a computer system” implying a different “computer system” than the "first computer system" introduced in the preamble. While the preamble appears to indicate the “method” is preformed internally relative to “a first computer system” by reciting “by”.

Claim 25, lines 3-5, recite “displayable on a monitor of the first computer system”, however, it’s the “a computer system” that receives this information. There is no mention of “a computer system” actually displays the “received” information. Certainly confusing and appears not add any value to the claim.

Claim 26, lines 12-13, recite “each of said non-graphical data element associate with the CAD element” without making it clear which “CAD element” is being referenced since the previous two limitations each construct a “first CAD element” and “a second CAD element”. While the rest of the claim never mentions the “first CAD element” again. There is no further functionality attributed to it. Correction is requested.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1, 12-13, 14, 16-18, 20-21, 23, and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is written awkwardly, while it appears that initially the claim is discussing what a GUI is capable of doing, it later jumps to receiving and generating of the already displayed information. Thus being out of order. The claim should be re-written in more accurate sequential order and to clearly show the method steps involved in the invention. The claim as it is mixes the

hardware display of a GUI with functionality beyond “displaying”. Correction is respectfully requested.

Completely re-constructed claim 12 now appears to be directed to physical features of User Interface, however still part of and dependent from a method claim. It is unclear what the scope of the invention is and what is in fact being claimed. A method claim is simply just that, while actually physical features of a physical entity such as "GUI" is part of an apparatus claim thus falling under different statutory categories. The claim's language is also confusing since it mentions a “first window” but there is never a mention of a "second window" in the entire application making it unnecessary. It is also unclear where in the specification support can be found for this newly reconstructed claim. Each line in the claim now recites the term “for” performing a functionality which is interpreted as intended use in accordance with MPEP 2114 and 2106.1 II-C thus carries not patentable weight. Furthermore, the claim as a whole does not appear related to the features of claim 1 "storing", "linking" and "creating".

Similarly, claim 13 carries the same deficiency.

Claims 16-17 recites the limitation "the computer system" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 20 recites the limitation "the first component specification" in line 18. There is insufficient antecedent basis for this limitation in the claim.

Claim 23 recites the limitation "transmitting link data" in the very last line. There is insufficient antecedent basis for this limitation in the claim. There was never any previous mention of "link data" being generated.

Claim 25, line 9, recite "receiving link data and receiving and storing" which is repetitive and confusing. Correction is required.

Claim 14 is directed to "one or more processor readable storage devices having processor readable code embodied on said processor readable device...said processor readable code for programming a processor to perform method comprising" which is confusing because how can "code" perform a method? And its unclear how its only single "device" is embedding the code? What about the rest of the "storage devices"?

Claim 18, lines 5-6, recites "receiving a single data unit and link data and storing, as a component specification comprising a single data unit" which is confusing. Is the "component specification" the single data unit and link data that was just received? Or is the rest of that sentence where it states "component specification" is the "single data unit, at least one non-graphical data element...etc". If it is indeed the second part of the sentence, where does "the non-graphical element representing a physical or functional attribute etc." come from?

Claim 18, the very last limitaion is directed now to plurality of component specifications... where did they come from, if upto now, the claim only recites a single component specification.

Claim 20, line 4, recites a "GUI configured to receive non-graphical information associated with a graphical element" (i.e. information about a picture NOT the picture itself); however, in line 11, the claim states "adding a first graphical element to an image displayed", which is not accurate since the "image" was not previously displayed. Further, when language used such as "configured to", it suggests that the software is only programmed to execute the function following (i.e. non-graphical information), thus can't possibly display "graphical information".

Claim 20, is very confusing, it has two consecutive "transmitting" steps...as well as interchangeably using the terms "information" and "data" in referring to "non-graphical", without making it clear what the distinction is.

Claim 21, now has the newly added term "CAD computer system" which appears to be different "computer" than the "first computer system"... or is it meant to be just a software program residing on the "first computer system". It is unclear why it was added to the claim.

Claim 23, line 2, recite "receiving by the first computer system" while claim 20 of which it depends was only directed to "transmitting by the first computer system", this indicates a shift in scope and leads to indefiniteness. Where did the "specification list" come from? Is it received from the database? The limitation does not have to be read to state the "database" is the sending

part, because "the list represents a data unit stored in the database" not in fact the real "stored data unit"... Also, why is "a data unit" is again re-introduced if it was already stated in claim 20?

The use of "by" in steps such as "receiving" and "transmitting" is confusing, it is suggested that it should be replaced with the term "from".

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 14-17, and 20-26 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. It is not clear what the scope of the claim is supposed to encompass. Is it a method claim or a computer medium claim or system claim? Distinctions to each statutory category must be made to the independent claims and all their respective dependents (i.e. system, method, product, etc.).

Dependent claims 15-17 should be directed to "the computer readable storage of claim 14". Just as claim 14 in itself should be directed to "computer storage medium" instead of "processor readable storage". Correction is required. Response to arguments regarding this rejection are found in the response to arguments section below.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loveland (U.S. Patent No. 6,826,539 B2) in view of McClendon et al. (U.S. Patent No. 6,625,619 B1).

As to claims 1, 5, 20, and 24, Loveland discloses a method of managing facilities data, the method being executable by a host computer system comprising:

receiving a first graphical element comprising a computer aided design CAD element, area, or sub area entered by a user to an image displayed on a monitor of a first computer system (See column 6, lines 21-32, also see Figure 19, 222, Upload Image);

displaying a graphical user interface on the monitor of the first computer system, wherein the graphical user interface is configured to:

receiving the first component specification into the graphical user interface, the first component specification comprising at least one non-graphical data element representing a physical or functional attribute and at least one data element representing a non-physical and non-functional attribute into the graphical user interface (See column 4, lines 61-67, also see column 15, lines 56-65);

transmitting said link data and said first component specification including the non-graphical data element and said data element representing the non-physical and non-functional attribute as a data unit to a database via internet communication by the first computer system (See column 2, lines 23-40).

Loveland discloses the claimed invention except for receive non-graphical information associated with the first graphical element including a first component specification; and

link information for at least one component specification to a second component specification and the CAD element, area, or sub area, by generating link data associated with the CAD element and component specifications (Does that include both first and second specification ?, the limitation is awkwardly written) the at least one component specification including the first component specification.

Loveland doesn't explicitly teach linking of components and specification. However, Loveland in Figure 2, column 8, line 1-14, shows how components are linked to attributes, specifications, and photos. Loveland teaches storing specification in a database in column 2, lines 24-36, and column 17, lines 13-35.

McClendon et al. teaches receive non-graphical information associated with the first graphical element including a first component specification; and

link information for at least one component specification to a second component specification and the CAD element, area, or sub area, by generating link data associated with the CAD element and component specifications, the at least one component specification including the first component specification (See McClendon et al. Figure 2, also see McClendon et al. column 9, lines 8-32, and McClendon et al. column 14, lines 28-58).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Loveland by the teachings of McClendon et al. to include receive non-graphical information associated with the first graphical element including a first component specification; and link information for at least one component specification to a second

component specification and the CAD element, area, or sub area, by generating link data associated with the CAD element and component specifications, the at least one component specification including the first component specification because it provides for ease of maintenance, and accuracy of records related to CAD project (See McClendon et al. column 4, lines 1-16).

As to claims 2, and 21, Loveland as modified discloses wherein the first computer system comprises a CAD computer system and wherein the CAD element is a first CAD graphical element, the first graphical element comprising the first CAD graphical element (See column 15, lines 35-55).

As to claims 3, and 22, Loveland as modified discloses wherein the graphical user interface comprises a plurality of fields, wherein the first component specification comprises a plurality of non-graphical information, and wherein entering the first component specification into the graphical user interface comprises entering the plurality of non-graphical information components into the plurality of fields of the graphical user interface (See column 9, lines 43-53, also see column 10, lines 6-17).

As to claims 4, and 23, Loveland as modified discloses the first computer system receiving, via internet communication, specification list data, wherein specification list data represents a list of specifications displayable on the monitor of the first computer system, wherein each specification of the list represents a data unit stored in the database in data

communication with the first computer system, wherein each data unit contains data representing non-graphical information (See column 17, lines 26-50, also see column 4, lines 61-67, also see column 15, lines 56-65);

the first computer system displaying the list of specifications (See column 13, lines 53-67);

adding a second graphical element to the image displayed on the monitor of the first computer system (See column 13, lines 53-67, also see column 15, lines 35-67, more than one graphical element can be stored and viewed by the user);

the first computer system transmitting second graphical element data to the database via internet communication, wherein the second graphical element data represents the second graphical element (See column 18, lines 45-65, also see column 17, lines 30-62, teaches listing of more than one graphical element, and also teaches the database to be central or master wherein numerous users have access to it);

the first computer system transmitting link data to the database via internet communication, wherein the link data indicates that one of the data units associated with the specifications in the specification list stored in the database is to be linked within the database to the second graphical element data after the second graphical element data is stored in the database (See column 18, lines 45-65, also see column 17, lines 30-62, teaches listing of more than one graphical element).

As to claims 6, and 18, Loveland discloses a method operating on a processor comprising:

a database receiving and storing first computer aided design CAD element data generated by a first computer system in data communication with the database, wherein the first CAD element data represents a first CAD element, area, or sub area displayable on a monitor (See column 16, lines 30-55, teaches accessing the web interface via a communication network);

a database receiving and storing, as a component specification comprising a single data unit, at least one non-graphical data element representing a physical or functional attribute, and at least one data element representing a non-physical and non-functional attribute (See column 4, lines 61-67, also see column 15, lines 56-65).

Loveland discloses the claimed invention except for creating and storing a link in the database between data unit and the first graphical element and a second data unit, wherein the data unit stores first non-graphical information data, and wherein the database is configured to link one of the plurality of component specifications to a second of the plurality of component specifications.

Loveland doesn't explicitly teach wherein the database is configured to link one of the plurality of component specifications to a second of the plurality of component specifications. However, Loveland in Figure 2, column 8, line 1-14, shows how components are linked to attributes, specifications, and photos stored in repository.

McClendon et al. teaches creating a link in the database between data unit and a first graphical element or a second data unit, wherein the link can be created between either the first graphical element or the second data unit, in the database wherein the data unit stores first non-graphical information data, and wherein the database is configured to link one of the plurality of component specifications to a second of the plurality of component specifications (See

McClendon et al. Figure 2, also see McClendon et al. column 9, lines 8-32, and McClendon et al. column 14, lines 28-58).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Loveland by the teachings of McClendon et al. to include creating a link in the database between data unit and a first graphical element or a second data unit, wherein the link can be created between either the first graphical element or the second data unit, in the database wherein the data unit stores first non-graphical information data, and wherein the database is configured to link one of the plurality of component specifications to a second of the plurality of component specifications because it provides for ease of maintenance, and accuracy of records related to CAD project (See McClendon et al. column 4, lines 1-16).

As to claim 7, Loveland as modified discloses the computer system transmitting the first graphical element data to a second computer system via internet communication (See column 6, lines 60-67) the computer system transmitting the first non-graphical data unit to the second computer system via internet communication (See column 16, lines 41-67, wherein “second computer system” reads on project has been published and made available for access by variety of users across the network).

As to claim 8, Loveland as modified discloses:

the computer system receiving second graphical element data via internet communication from a second computer system, wherein the second graphical element data represents a second graphical element which is displayable on a monitor of the second computer system (See column

9, lines 43-53, also see column 10, lines 6-17, also see column 16, lines 41-67, wherein “second computer system” reads on project has been published and made available for access by variety of users across the network);

the computer system storing the second graphical element data into the database (See column 4, lines 61-67, also see column 15, lines 56-65); and

creating and storing a link within the database between the second graphical element data and the first data unit after the second graphical element data is stored in the database (See column 8, lines 1-27, wherein “after.. is stored” reads on “completed projects”).

As to claim 9, Loveland as modified discloses the computer system sending, via internet communication, list data to the first computer system (See column 6, lines 60-67, also see column 8, lines 41-62), wherein the list data represents a list of non-graphical data units in the database, wherein each non-graphical data unit stores non-graphical information data, wherein the list of non-graphical data units includes the first non-graphical data unit (See column 9, lines 54-65, wherein “list” reads on “file” that is of many stored in a database).

As to claim 10, Loveland discloses the computer system receiving an additional non-graphical data element from a second computer system via Internet communication (See column 6, lines 60-67, also see column 8, lines 41-62); and

the computer system storing the additional non-graphical data element in the first non-graphical data unit (See column 9, lines 54-65).

As to claim 11, Loveland as modified discloses comprising the computer system storing the first graphical element data in a first graphical data unit in the database, wherein the first graphical data unit stores additional graphical element data (See column 9, lines 54-65).

As to claim 12, Loveland as modified (as best understood in light of 112, second) wherein graphical user interface includes:

- a first portion in a first window for receiving a selection of a first subset of a CAD project;
- a second portion in the first window for receiving a selection of CAD object associated with the first subset;

- a third portion of the first window for receiving a selection of a component specification;
- a fourth portion of the first window for viewing attributes for a selected component specification; and

- a mechanism within the first window for linking the selected component specification to a selected CAD object.

The claim as whole is generally interpreted on GUI and its inherent features (See Loveland column 8, lines 1-14, and see Loveland column 9, lines 43-53, also see Loveland column 10, lines 6-17).

As to claim 13, Loveland as modified wherein the graphical user interface includes:

- a fifth portion in the first window for viewing components specifications linked to the selected component specification; and

a second mechanism (no support in the specification for term “mechanism”), in the first window for creating a new component specification.

Again generally interpreted on a conventional GUI with its inherent features (See Loveland column 8, lines 1-14, and see Loveland column 9, lines 25-32).

As to claim 14, Loveland discloses one or more processor readable storage devices having processor readable code embodied on said processor readable storage devices, said processor readable code for programming a processor to perform a method comprising:

receiving a data unit including at least one data element representing a non-graphical data element representing physical or functional attribute and at least one data element representing a non-physical and non-functional attribute via a network interface from a first computer system (See column 9, lines 43-65) the data unit associated with a first graphical element comprising a computer aided design CAD element, area, or sub area, the computer system receiving the data unit through a graphical user interface (See column 16, lines 14-25, column 16, lines 35-40, and see Figure 22, wherein “data unit” is deemed to “project file” for a created CAD project and stored a single file in the master structure data), the graphical user interface configured to:

updating a database, wherein said data unit which includes at least one data element representing a physical or a functional attribute is stored in the database (See column 10, lines 22-50).

Loveland discloses the claimed invention except for receive non-graphical information associated with a selected graphical element including a component specification, and

link information for at least one component specification to a second component specification and the CAD element, area, or sub area;

generating link data associated with the CAD element and component specifications.

Loveland doesn't explicitly teach linking of components and specification. However, Loveland in Figure 2, column 8, line 1-14, shows how components are linked to attributes, specifications, and photos. Loveland also teaches storing items as files in a database (i.e. generating a link) in column 6, lines 44-67.

McClendon et al. teaches receiving non-graphical information associated with a selected graphical element including a component specification, and link information for at least one component specification to a second component specification and the CAD element, area, or sub area; generating link data associated with the CAD element and component specifications (See McClendon et al. Figure 2, also see McClendon et al. column 9, lines 8-32, and McClendon et al. column 14, lines 28-58).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Loveland by the teachings of McClendon et al. to include receiving non-graphical information associated with a selected graphical element including a component specification, and linking information for at least one component specification to a second component specification and the CAD element, area, or sub area generating link data associated with the CAD element and component specifications because it provides for ease of maintenance, and accuracy of records related to CAD project (See McClendon et al. column 4, lines 1-16).

As to claim 15, Loveland as modified discloses linking said at least one data element representing the physical or the functional within the attribute within the database to a first graphical element data stored in the database (See Loveland column 9, lines 25-32, also see McClendon et al. Figure 2, also see McClendon et al. column 6, lines 1-15).

As to claim 16, Loveland as modified discloses comprising the computer system transmitting data representing a first component specification to a second computer system via internet communication, wherein the data representing the first component specification comprises data representing non-graphical information, wherein the data representing the first component specification is transmitted after the said step of linking said at least one data element (See column 9, lines 1-30, also see column 16, lines 14-24, wherein all project files including linked components are made available on the Internet).

As to claim 17, Loveland as modified discloses comprising the computer system receiving and modifying the non-graphical information displayed in fields of an interface (See column 9, lines 43-53, also see column 10, lines 6-17).

As to claim 19, Loveland as modified discloses wherein the first computer system is coupled to the database via the Internet (See column 6, lines 60-67).

As to claim 25, Loveland discloses a memory for storing instructions instructing a processor to perform a method by a first computer system, the method comprising:

a computer system receiving a first graphical element data via internet communication from a first computer system, wherein the first element data represents a first graphical element which is displayable on a monitor of the first computer system and comprising computer aided design CAD element, area, or sub area (See column 16, lines 14-24, also see column 16, lines 49-55, wherein "CAD element" is part of the CAD project being created);

the computer system storing the first graphical element data into a database in data communication with the computer system (See column 7, lines 35-44);

the computer system receiving and storing within the database a first non-graphical data element representing a physical or functional attribute via internet communication from the first computer system (See column 4, lines 61-67, also see column 15, lines 56-65);

creating a link within the database between the first graphical element data and a first non-graphical data unit in the database after the first graphical element data is stored in the database, wherein the first non-graphical data unit stores first non-graphical information including at least one data element representing physical or functional attribute (See column 8, lines 1-27, wherein "after.. is stored" reads on "completed projects", also see Figure 2, column 8, line 1-14).

Loveland discloses the claimed invention except for the database configured to link the first non-graphical data nit to the first graphical element data and a second graphical data unit in response to the first non-graphical data element, first graphical element data or second graphical data unit stored to the database by the first computer system. Loveland doesn't explicitly teach linking of components and specification. However, Loveland in Figure 2, column 8, line 1-14, shows how components are linked to attributes, specifications, and photos.

McClendon et al. teaches the database configured to link the first non-graphical data nit to the first graphical element data and a second graphical data unit in response to the first non-graphical data element, first graphical element data or second graphical data unit stored to the database by the first computer system (See McClendon et al. Figure 2; also see McClendon et al. column 9, lines 8-32, and McClendon et al. column 14, lines 28-58).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Loveland by the teachings of McClendon et al. to include the database configured to link the first non-graphical data nit to the first graphical element data and a second graphical data unit in response to the first non-graphical data element, first graphical element data or second graphical data unit stored to the database by the first computer system because it provides for ease of maintenance, and accuracy of records related to CAD project (See McClendon et al. column 4, lines 1-16).

As to claim 26, Loveland discloses a memory for storing instructions executable by a computer system to enable a method, the method comprising:

a database receiving and storing first computer aided design CAD element data generated by a first computer system in data communication with the database, wherein the first CAD element data represents a first CAD element, area, or sub area displayable on a monitor (See column 15, lines 40-64, also see column 16, lines 49-65, wherein "CAD element" reads on "any CAD related data");

the database receiving and storing second CAD element data generated by a second computer system in data communication with the database, wherein the second CAD element

data represents a second CAD element displayable on the monitor (See column 16, lines 30-55, wherein “second computer system” reads on “all users and bidders accessing the web interface via a communication network);

the database receiving and storing each of a plurality of component specifications as a data unit (See column 16, lines 14-25, column 16, lines 35-40, and see Figure 22, wherein “data unit” is deemed to “project file” for a created CAD project and stored a single file in the mast structure data), wherein each component specification includes at least one non-graphical data element representing a physical or functional attribute, and at least one data element representing a non-physical and non-functional attribute (See column 4, lines 61-67, also see column 15, lines 56-65), each of said non-graphical elements associated with a CAD element; and

creating a link in the database between the stored second CAD element data and one of the plurality of component specifications stored in the database (See column 8, lines 1-27).

Loveland discloses the claimed invention except for the database configured to link a first component specification of the plurality of component specifications to the second CAD element data and a second component specification of the plurality of component specifications in response to the first component specification, the second CAD element, or the second component specification received from the first computer system. Loveland doesn’t explicitly teach linking of components and specification. However, Loveland in Figure 2, column 8, line 1-14, shows how components are linked to attributes, specifications, and photos.

McClendon et al. teaches the database configured to link a first component specification of the plurality of component specifications to the second CAD element data and a second component specification of the plurality of component specifications in response to the first

component specification, the second CAD element, or the second component specification received from the first computer system (See McClendon et al. Figure 2, also see McClendon et al. column 9, lines 8-32, and McClendon et al. column 14, lines 28-58).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Loveland by the teachings of McClendon et al. to include the database configured to link a first component specification of the plurality of component specifications to the second CAD element data and a second component specification of the plurality of component specifications in response to the first component specification, the second CAD element, or the second component specification received from the first computer system because it provides for ease of maintenance, and accuracy of records related to CAD project (See McClendon et al. column 4, lines 1-16).

Response to Arguments

11. Applicant's arguments filed on October 4, 2007 have been fully considered but they are not persuasive.

In view of the various issues presented in this office action, it is unclear what Applicant's exact arguments are. The claims are not clear presentations of the specification subject matter. However, for the sake of compact prosecution, and as best understood in light of the issues presented. Responses are provided below.

Applicant's arguments "the rejection under 112, second for claims 14-17, and 20-26 for lacking scope is improper since the claims are constructed in well known Beauregard format as equivalent to "computer readable product" claims" is respectfully noted but not persuasive.

First, as stated above, "processor readable storage" has no antecedent basis in the specification. There is no mention of "computer readable product" either. What is clearly stated in paragraph 0054 is "memory storage medium".

Second, Examiner can't comment on issued patents, it is recommended the Applicant's reviews the latest version of the MPEP 2106.1 covering patentable subject matter concerning "computer readable medium".

Applicant's argument that "Loveland does not disclose "displaying user interface" that is "configured to "link information for at least one component specification to a second component specification and a CAD element, area, or sub-area" is noted but not deemed to be persuasive.

It is understood from the claim language that the claimed GUI must display three elements, first specification, a link (relationship), to a second specification, and CAD element, area or sub area. Those are clearly shown in Loveland Figure 2, and Figure 5, and see Loveland column 8, lines 1-14.

The claim language as well as the remarks appears to confuse and mix the description of what one of ordinary skill in the art would interpret a GUI to be. A GUI does is a interface that output the results of functionality preformed apart from or it can allow the user to manipulate objects on the screen (i.e. manual drag-drop (given as an example in Applicant's specification). Thus it is used for presentation and display. The functionality claimed and argued as they are

interpreted in light of Applicant's specification are directed to a method that involved more than just the Graphical user Interface. They in fact involved the entire client, server, and a database communication. Which are not depicted by the claims.

It appears that the remarks and arguments are directed to a display on a user interface and what the display holds. However, the independent claims as they stand clearly recite the functionality behind the display. It is also worth noting that Applicant's specification (preferred embodiment specifically) as a whole appears to be directed to the networked functionality of client/server and networked shared specification database not to the GUI features.

Applicant's representative argues further that "Loveland does not disclose generating a link" is not deemed persuasive. Loveland teaches generating a link and linking different components in Figure 2, and Figure 5, and see column 18, lines 34-48.

Applicant continues to argue that "Loveland does not generating link data" which is not deemed to be persuasive.

Applicant's specification refers to "link data" only in the claims, the Examiner can't find support for the term "link data" in the specification, the only "data" and "link" found in close proximity are in reference to "communication link" and "data transfer" see specification paragraph 0053. While, the specification paragraph 0063, teaches "linking" to be "relating database files together" (i.e. inherent functionality of database structure and/or file library).

Claim 1, line 6, recites "displaying a graphical user interface on monitor...configured to...receive" but after that there is no mention or disclosure of showing the "received" or

"linked" information. The only sole mention of anything being displayed is the "graphical user interface" with any details to its presentation.

Claim 1, line 2, recites "receiving a first graphical element comprising a computer aided design (CAD) element, area, or sub-area entered by a user to an image displayed on a monitor of a first computer system" (i.e. user enter information related to displayed image)... first grammatically speaking, its unclear how you can receive a CAD element to an image? You can add a "CAD element" but you can't possibly "receive" a CAD element related to an image.

Second, the claim proceeds to recite in line 6 "displaying a graphical user interface"... Did the image get over-ridden by the "display of the graphical user interface" ... is this a split screen design? The sequence of the limitations is confusing and inaccurate.

Claim 6, line 14, refers to "second data unit...wherein second data unit stores first non-graphical information data", first, it's unclear what this "information data" is...second, how is it different than description of "data unit" listed in the prior limitation?

Third, where does the "second data unit" comes from? How does it hold "first non-graphical information" if what was "received" from a first system was only including "first non-graphical data element"?

Claim 14, line 4, recites "data unit" that described two different elements that have four attributes, then the claim proceeds to recite in line 16 to give a different description of "said data unit" that is not consistent with the one previously given.

Also, the claim language suffers from redundancy... when you “update a database” you are in fact “storing” the information.

Claim 14, line 6, recites “a network interface” while the rest of the invention appears to be focused on a “user graphical interface” thus confusing. Why has the scope of the invention shifted in this claim? Also, its unclear where this database resides? Is it separate from the "first computer system"?

The preamble of claim 14 is directed to “processor”, therefore, it not possible that a “processor” can include neither “network interface nor a database”.

In plain English, what appears to be the claimed invention (at least claim 1) is an CAD image is displayed on the screen, then specification is received that includes elements, attributes (list of building materials and budget), and all is being done is “generating a link” between the image and specification, then sending the “link information and specification” to another computer, while the image is never sent. Nothing more! The terminology used and the repetitive descriptions are misleading.

Independent claim 24, does not generate the “link data” whatsoever, the only mention of the "link data" is to have be transmitted.

Applicant’s specification paragraph 0063 appears to describe the invention differently than what is alleged in Applicant's arguments. While, paragraphs 0067-0068, appear to describe

"creation of graphical representation" that is stored with its associated information in a single or multiple files in the database...this is essential to the invention but not claimed.

Remarks page 17, Applicant's reference to specification page 15, lines 16-20 in contrasting Examiner's assertion of "Loveland disclosing components are linked to "attributes, specifications and photos" is respectfully noted but not deemed to be persuasive.

That same referenced paragraph and in context with the entire specification clearly teaches "linking" to be storing files of three items together in hierarchy of files in database.

It is well known that databases hold records together with their attribute as files and those can be hierarchical in nature. Loveland teaches storing specification, attributes, and items or physical elements (components as defined by Applicant's specification) in a database see in column 2, lines 24-36, and see column 6, lines 44-67, and column 17, lines 13-35.

The Applicant continues to argue that "Loveland does not teach single data unit" however, as it has been mentioned before, there is only one mention of "single data unit" which is made in reference to files stored in a database without any specifics or details as to its relationship to the remaining claimed functions. Loveland broadly covers the concept of storing items, CAD images, and their attributes together in a single database file not different than what is claimed.

The Applicant also continues to argue that "Loveland does not teach transmitting said link data and said first component specification as single data unit" not found to be persuasive

since Loveland's system is clearly within a client/server environment where it is inherent that transmission takes place between collaborating computers see column 18, lines 34-48. Furthermore, the only support found in the specification for said "transmission" is on page 13 and directed to "communication sent through signals".

Applicant's argument that "McClendon does not disclose displaying a GUI, configured to link information" is noted but not found to be persuasive.

As it is well known in the art, "portals" can't process any other functionality, other than the "displaying" which they are created for. Thus, "linking" is a manual user operation (i.e. drag-and-drop). The cited portions of McClendon teach linking between different specifications as well as indexing and retrieving the attributes associate with the items in the specification. Yes, in fact as pointed out by the Applicant's McClendon is directed to generic data structure. So, are the claimed limitations. McClendon is combined with Loveland who teaches the type of data is CAD data. In light of Applicant's specification, one of ordinary skill in the art would interpret "creating a link in GUI" as nothing more than user's drag-and-drop operation. While "creating a link in a database" is interpreted as nothing more than "creating a file" in a directory. Just as acknowledged by the Applicant's remarks very last paragraph of page 18, the combination teaches storing a model with structure attributes (perhaps different terminology than the Applicant's, however the same functionality).

Applicant's arguments regarding the rejections for claims 5, 14-17, and 20-24 that the cited references do not teach "User interface configured to link information" is respectfully deemed not to be persuasive.

Language such as "configured to" implies a capability of the system and not in fact a functionality being preformed. It is well known to one of ordinary skill in the art, that User interface is just that, an interface that provides capability to enter and display data, while the actual processing and functionality of recording, retrieving and storing of data occurs at the back end 'processor, memory, and/or database'. Just as it explained in Applicant's specification contrary the representative's remarks.

Applicant's arguments regarding the rejections for claims 14, and 20 that the cited references do not teach "generating link data" is respectfully deemed not to be persuasive.

As it is well understood to one of ordinary skill in the art in the User Interface art, that "generating a link" on a screen can be done manually by drag-and-drop or by simply drawing a link. Just as it well understand to one of ordinary skill in the database art, that "generating a link" means "storing records together in a database file". Thus it is within reasonable and acceptable interpretation to broadly read the claimed invention on the combined cited references.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McClendon et al. (U.S. Patent N0. 6,625,619 B1) teaches electronic taxonomy for construction product information.

Burke et al. (U.S. Patent No. 6,789,252 B1) teaches building business objects and dynamic software application.

Acharya et al. (U.S. Patent No. 6,826,593 B1) teaches fulfilling a racquet for information content with a user-selectable version of a file containing that information.

For complete list of cited relevant art, see PTO-form 892.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074.

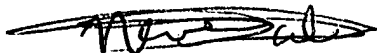
The examiner can normally be reached on 8:30AM-5:30PM EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian P. Chace can be reached on 571-272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Neveen Abel-Jalil
Primary Examiner
February 1, 2008